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Practitioner's Docket No. 1026-017C2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Julie Bartholomew et al.

Application No.: 10/716,317

Group No.: 3751

Filed: 11/18/2003

Examiner: Douglas, Steven O.

For: APPARATUS AND METHOD FOR CUSTOM COSMETIC DISPENSER

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response and Amendment, Terminal Disclaimer and an Information Disclosure Statement.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10\*

with sufficient postage as first class mail.

X as "Express Mail Post Office to Addressee"

Mailing Label No. EV530033108US

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Date:

7/27/04

Signature

*Elise Nichols*

Elise Nichols

(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	36	- 20	= 16	x \$ 18.00	= \$	288.00	
INDEP.	3	- 3	= 0	x \$ 86.00	= \$	0.00	
				+			
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				\$ 0.00	= \$	0.00	
				TOTAL			
				ADDIT. FEE	\$	288.00	

An additional fee of \$288.00 for claims is required.

5. Enclosed is a check in the amount of \$578.00 for an Information Disclosure Statement Fee, Terminal Disclaimer and additional claims.

**Total Fees enclosed: \$578.00**

## FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 50-1097.

If an additional fee for claims is required, charge Account No. 50-1097.

Date:

*July 27, 2004*

*James M. McPherson*

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Express Mail No. EV 530033108 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Bartholomew et al.

Group Art Unit: 3751

Serial No.: 10/716,317

Examiner: Douglas, Steven O.

Filed: November 18, 2003

For: APPARATUS AND METHOD FOR CUSTOM COSMETIC DISPENSER

Attorney Docket No.: 1026.017C2

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE AND AMENDMENT**

In response to the Office Action mailed April 27, 2004, please amend the above-identified application as follows and consider the following remarks.

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288.00 DP